



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

March 10, 2021

The Honorable Andy Brown
Travis County Judge
P.O. Box 1748
Austin, Texas 78767
Andy.Brown@traviscountytexas.gov

The Honorable Steve Adler
Mayor, City of Austin
P.O. Box 1088
Austin, Texas 78767
Steve.Adler@austintexas.gov

Judge Brown and Mayor Adler:

Over the past 24 hours, Travis County and City of Austin officials announced that local orders requiring individuals to wear face masks while outside their homes will continue unabated, despite the issuance of Governor Abbott's executive order GA-34, which states that as of today, "no person may be required by any jurisdiction to wear or to mandate the wearing of a face covering." Additionally, "there are no COVID-19-related operating limits for any business or other establishment," and local officials may not impose any such limits unless certain conditions are met under Department of State Health Services guidelines. In short, GA-34 has the force and effect of state law and supersedes local rules and regulations.

The decision to require masks or otherwise impose COVID-19-related operating limits is expressly reserved to private businesses on their own premises. It does not rest with jurisdictions like the City of Austin or Travis County or their local health authorities. Nor do they have the authority to threaten fines for non-compliance.

We have already taken you to court under similar circumstances. You lost. If you continue to flout the law in this manner, we'll take you to court again and you will lose again.

To that end, you and your local health authorities have until 6:00 p.m. today to rescind any local mask mandates or business-operating restrictions, retract any related public statements, and come into full compliance with GA-34. Otherwise, on behalf of the State of Texas, I will sue you.

For Liberty and Justice in Texas,

A handwritten signature in black ink that reads "Ken Paxton".

KEN PAXTON
Attorney General of Texas

cc: Dr. Mark Escott, Austin Public Health